

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 3/7/12

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DIANA DELAHOZ,

Plaintiff,

-against-

SWIFT TRANSPORTATION CO., INC.
& JOHN DOE,

Defendants.
----- X

:
: 09 Civ. 9988 (ALC) (AJP)

: **ORDER OF DISMISSAL ON CONSENT**

ANDREW J. PECK, United States Magistrate Judge:

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs. Any pending motions are to be terminated as moot.

The Court notes that counsel's failure to notify the Court of the settlement and failure to appear at today's status conference without notice to the Court is, to put it mildly, extremely rude and inconsiderate.

SO ORDERED.

DATED: New York, New York
March 7, 2012

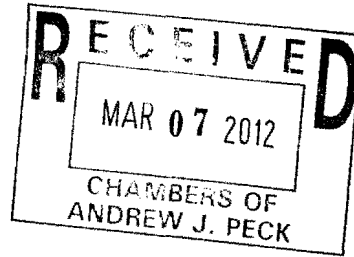


Andrew J. Peck
United States Magistrate Judge

Copies by ECF to: All Counsel
Judge Andrew L. Carter, Jr.

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March 7, 2012

VIA FACSIMILE – 212-805-7933

Hon. Andrew J. Peck
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Diana Delahoz v. Swift Transportation*
Case number: 09-cv-09988
Our File No.: 7214.96

Dear Judge Peck:

Please be advised that this matter settled in December 2011. The parties apologize for not timely informing the court of the settlement.

If you have any questions, please feel free to contact the undersigned at any time.

Very truly yours,

A handwritten signature in black ink, appearing to read "Adam Schwartzstein".

Adam Schwartzstein of
LEWIS BRISBOIS BISGAARD & SMITH LLP